

REMARKS

Foreign Priority

The acknowledgement, in the Office Action, of a claim for foreign priority under 35 U.S.C. § 119(a)-(d), and that the certified copies of the priority documents have been received, is noted with appreciation.

Status Of Application

Claims 7, 9-22, 25-27, 30, 31, 33-35, 37-41, and 56-59 were pending in the application. By this Amendment, claim 7, 30, and 31 are cancelled. The status of the remaining claims is as follows:

Claims 56-59 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,991,846 to Ooki (hereinafter the "Ooki patent");

Claims 38-41 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,812,750 to Dev et al. (hereinafter the "Dev patent");

Claims 9, 10, 14, 15, 25, 26, 33, and 37 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,996,029 to Sugiyama et al. (hereinafter the "Sugiyama patent"); and

Claims 11-13, 16-22, 27, 34, and 35 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the Sugiyama patent in view of the Dev patent.

35 U.S.C. § 102(e) Rejections

I. Claims 56-59

The rejection of claims 56-59 under 35 U.S.C. § 102(e), as being anticipated by the Ooki patent, is respectfully traversed based on the following.

The Ooki patent discloses that a desired output device is selected from a plurality of output devices based on the plurality of characteristics (resolution, speed, etc.) and the priority of the characteristics. More specifically, the user can abstractly (or ambiguously)

assign a desired recording speed, quality of recording and the like, without having a knowledge about the kind of printer, the performance of printer, the network connection address, and the like, and a network device that most closely matches the requirements is automatically chosen. However, the Ooki disclosure does not meet the requirements of claim 56.

Although the Ooki patent does disclose a device capable of using priority settings to calculate a numerical value that will determine which network printer is capable of carrying out a print operation, the Ooki patent does not disclose selecting a first printer, determining if the first selected printer is available or not, and subsequently, selecting a second printer as a substitute when the first printer is not available. That is, according to the description in column 5, lines 28-41, of the Ooki patent, a single printer is selected from a plurality of printers based on the evaluation value, however, the Ooki patent does not disclose selecting a substitute for a previously selected printer, as asserted in the Office Action. Therefore, the Ooki patent does not anticipate claim 56.

Each of claims 57-59 depends directly from claim 56. Therefore, claims 57-59 are not anticipated by the Ooki patent.

Accordingly, it is respectfully requested that the rejection of claims 56-59 under 35 U.S.C. § 102(e), as being anticipated by the Ooki patent, be reconsidered and withdrawn.

II. Claims 38-41

The rejection of claims 38-41 under 35 U.S.C. § 102(e), as being anticipated by the Dev patent, is respectfully traversed based on the following.

Claims 38-40

Claim 38 requires a user name displaying step for displaying as items of selection the names of users regularly using a network system; a user name selecting step for selecting one of the names displayed at the user name displaying step; an input-output apparatus displaying

step for displaying as items of selection only the input-output apparatuses associated with one of the users with the name thereof selected at the user name selecting step; and an input-output apparatus selecting step for selecting as an input-output destination a desired one of the input-output apparatuses displayed at the input-output apparatus displaying step.

Although the Dev patent does disclose a device that allows a user to view and monitor the performance of network devices, the Dev patent does not disclose selecting a user name, then displaying as items of selection only the input-output apparatuses associated the user whose name was selected. Instead, as disclosed at column 12, lines 63-67, the Dev patent discloses displaying network devices according to a selected location. Specifically, a user can select a location, and network devices corresponding to the selected location are displayed. According to such operation, an input-output device that is regularly used by a particular user, but located away from the selected location is not displayed, thus a network user is not allowed the advantage of viewing all of the input-output apparatuses that are generally used by the particular user. In contrast, according to claim 38, when a user name is selected, input-output apparatuses associated with the selected user can be displayed notwithstanding there location or proximity to any particular location. Therefore, the Dev patent does not disclose all of the requirements of claim 38, and thus, does not anticipate claim 38.

Each of claims 39 and 40 depend directly from claim 38. Therefore, claims 39 and 40 are not anticipated by the Dev patent.

Claim 41

Claim 41 is also distinguished from the Dev patent. Claim 41 requires a user name displaying step for displaying as items of selection the names of users regularly using the network system; a user name selecting step for selecting one of the names displayed at the user name displaying step; an input-output apparatus displaying step for displaying as items of selection only the input-output apparatuses associated with one of the users with the name thereof selected at the user name selecting step; and an input-output selecting step for

selecting as an input-output destination a desired one of the input-output apparatuses displayed at the input-output apparatus displaying step. As shown above in the argument of claim 38 over the Dev patent, while the Dev device is capable of monitoring a network and the devices on the network, the Dev patent does not disclose a method that includes a select step for selecting a user name, and an input-output apparatus displaying step for displaying as items of selection only the input-output apparatuses associated with one of the users with the name thereof selected at the user name selecting step. Instead, the Dev patent discloses selecting a location and displaying network devices associated with the selected location. Thus, the Dev patent does not anticipate claim 41.

Accordingly, it is respectfully requested that the rejection of claims 30, 31, and 38-41 under 35 U.S.C. § 102(e), as being anticipated by the Dev patent, be reconsidered and withdrawn.

III. Claims 9, 10, 14, 15, 25, 26, 33, and 37

The rejection of claims 9, 10, 14, 15, 25, 26, 33, and 37 under 35 U.S.C. § 102(e), as being anticipated by the Sugiyama patent, is respectfully traversed based on the following.

Claims 9, 10, and 33

Claims 9 and 33, each require a first display step for classifying input-output apparatuses into a plurality of categories with different functions and displaying the categories on a display as items to be selected, and a second display step for displaying on the display as items to be selected only the input-output apparatuses in a category selected by a user. This feature is not disclosed or suggested in the Sugiyama patent.

The Sugiyama patent is directed to an information input/output control device which can display a list of all scanners and printers that are usable with a selected scanner/printer (SP) server. More specifically, according to the SP server that is selected, a scanner/printer table is displayed including all scanners and printers that are usable with the selected server. The Sugiyama patent however, does not disclose displaying the different categories of input-

output devices on a display as items to be selected and subsequently, displaying as items to be selected only the input-output apparatuses classified in a category selected by a user. Instead, the Sugiyama patent discloses displaying both printers and scanners simultaneously. Therefore, the Sugiyama patent does not anticipate claims 9 and claim 33.

Claim 10 depends from claim 9. Therefore, claim 10 is not anticipated by the Sugiyama patent.

Claims 14 and 15

Claim 14 requires a first step for classifying input-output apparatuses into a plurality of categories with different pieces of user identification information and for displaying on a display as items of selection the user identification information, and a second step for displaying on the display as items of selection only the input-output apparatuses in a category corresponding to a thus displayed user identification which is selected by a user.

The Sugiyama patent does not disclose or suggest classifying and displaying input-output apparatuses according to user identification information, and does not disclose displaying only input-output apparatuses in a category corresponding to a thus displayed user identification information that is selected by a user. More specifically, claim 14 requires that user identification information be displayed, for example, a user name or the like, beforehand, and subsequently, only input-output apparatuses in a category corresponding to a thus selected user identification information are displayed as items of selection. The Sugiyama patent does not disclose or suggest the feature of classifying and displaying identification information regarding network users, and displaying only input-output apparatuses in a category corresponding to user identification information that is selected by a user. Therefore, claim 14 is not anticipated by the Sugiyama patent.

Claim 15 depends from claim 14, and accordingly, is also distinguished over the Sugiyama patent.

Claim 25

Claim 25 requires a step for classifying input-output apparatuses connected to a network system into a plurality of categories with different functions and for displaying the categories on a display as items to be selected, and a step for displaying on the display as items to be selected only the input-output apparatuses classified in a category selected by a user. The Sugiyama does not disclose or suggest this feature. In fact, the Sugiyama patent discloses displaying all scanners and printers that are available for use on a SP server, simultaneously, i.e., scanner A, B, and C are displayed in the same table as printer A, B, and C, as depicted in Fig. 91 of the Sugiyama patent. Thus, the Sugiyama patent does not disclose or suggest all of the features of claim 25. Therefore, claim 25 is not anticipated by the Sugiyama patent.

Claim 26

Claim 26 is also distinguished from the Sugiyama patent. Claim 26 requires a step for displaying user identification codes on a display as items to be selected, and a step for displaying on the display as items to be selected only the input-output apparatuses catalogued in one of the groups identified by one of the user identification codes, for example, a user name or the like, selected by a user. The Sugiyama patent does not disclose classifying input-output apparatuses according to user identification information, and does not disclose displaying only input-output apparatuses according to the user identification information selected by a user. Therefore, the Sugiyama patent fails to disclose or suggest claim 26.

Claim 37

Claim 37 is also distinguished over the Sugiyama patent. Specifically, claim 37 requires a category displaying step for classifying input-output apparatuses into a plurality of categories with different functions and for displaying the categories on a display as items to be selected, and an apparatus displaying step for displaying on the display as items to be selected only those input-output apparatuses in a category selected from the categories

Serial No. 09/082,127

displayed at the category displaying step. This feature is not disclosed or suggested by the Sugiyama patent. Instead, the Sugiyama patent discloses displaying both printers and scanners simultaneously, according to the SP server selected. Therefore, claim 37 is not anticipated by the Sugiyama patent.

Accordingly, it is respectfully requested that the rejection of claims 9, 10, 14, 15, 25, 26, 33, and 37 under 35 U.S.C. § 102(e), as being anticipated by the Sugiyama patent, be reconsidered and withdrawn.

35 U.S.C. § 103(a) Rejection

Claims 11-13

The rejection of claims 11-13, 16-22, 27, 34, and 35 under 35 U.S.C. § 103(a), as being unpatentable over the Sugiyama patent in view of the Dev patent, is respectfully traversed based on the following.

Each of claims 11-13 is dependent from claim 9, and accordingly, each of claims 11-13 incorporate all of the limitations of claim 9. As shown above in the argument of claim 9 over the Sugiyama patent, the Sugiyama patent fails to disclose or suggest all of the features of claim 9. Specifically, the Sugiyama patent fails to disclose a display step which includes displaying categories of input-output apparatuses on a first display as items to be selected, and a second display step for displaying on a display as items to be selected only the input-output apparatuses classified in a category selected by a user. Thus, the addition of the Dev patent, which also fails to disclose or suggest a first display step including displaying categories of input-output apparatuses on a display as items to be selected and a second display step for displaying on the display as items to be selected only the input-output apparatuses classified in a category selected by a user, does not make up the deficient portions of the Sugiyama patent. Therefore, claims 11-13 are not rendered obvious by any combination of the Sugiyama patent and the Dev patent.

Claims 16-18

Similarly, as the argument with regard to claim 14 over the Sugiyama patent showed, the Sugiyama patent failed to disclose all of the features of claim 14. To this end, the Sugiyama patent and the Dev patent are identical. Specifically, both the Sugiyama patent and the Dev patent fail to disclose a first display step which includes classifying input-output apparatuses into a plurality of categories with different pieces of user identification information and displaying the pieces of user identification information on a display as items of selection, and a second display step for displaying on the display as items of selection only the input-output apparatuses in a category corresponding to a thus displayed user identification information which is selected by a user.

Claims 16-18 each depends directly or ultimately from claim 14. Accordingly, claims 16-18 are distinguished over both the Sugiyama patent and the Dev patent, and could not be rendered obvious by any combination of the Sugiyama patent and the Dev patent.

Claims 19-22

Claim 19 requires a select step for selecting as an output destination one of said image forming apparatuses designated by a user, a judgment step for judging whether or not the image forming apparatus set at the select step is capable of carrying out printing, and a display step for displaying on a display installation locations of the image forming apparatuses which are capable of carrying out printing to serve as a substitute for the image forming apparatus set at the select step in case an outcome of the judgment formed at the judgment step indicates that the image forming apparatus set at the select step is not capable of carrying out printing. Neither the Sugiyama patent nor the Dev patent discloses or suggests displaying only image forming apparatuses that are capable of performing a print operation as a substitute for a selected image forming apparatus.

Although the Sugiyama patent does disclose a device which can alter a print job designation from one printer to another based on a user request, the Sugiyama patent does not

disclose displaying installation locations of image forming apparatuses which are capable of carrying out printing to serve as a substitute for an image forming apparatus that was previously set. The Sugiyama patent discloses that when a selected printer is unable to carrying a printing function, an inquiry is made as to whether or not the printer designation should be changed. However, if a printer altering instruction is given by a host, as described at column 64, lines 9-16 of the Sugiyama patent, the printer designation is automatically changed to a printer that is capable of carrying out a printing function, without a user making a selection. The Sugiyama patent does not disclose or suggest displaying installation locations of input-output apparatuses which are capable of carrying out printing to serve as a substitute for an image forming apparatus set at a select step in case an outcome of a judgement indicates that the selected image forming apparatus previously set is not capable of carrying out printing.

Similarly, the Dev patent also does not disclose or suggest displaying installation locations of input-output apparatuses which are capable of carrying out printing to serve as a substitute for an image forming apparatus set at a select step in case an outcome of a judgement indicates that the selected image forming apparatus previously set is not capable of carrying out printing. Therefore, claim 19 could not be rendered obvious by any combination of the Sugiyama patent and the Dev patent.

Claims 20-22 depend directly or indirectly from claim 19. Therefore, claims 20-22 are also distinguished and nonobvious over any combination of the Sugiyama patent and the Dev patent.

Claims 27

Claim 27 requires a select step for setting as an output destination one of the image forming apparatuses selected by a user, a judgment step for forming a judgment as to whether or not the image forming apparatus set at the select step is capable of carrying out printing, and a display step for displaying on a display installation locations of the image forming apparatuses which are capable of carrying out printing to serve as a substitute for the image

forming apparatus set at a select step in case an outcome of the judgment formed at the judgment step indicates that the image forming apparatus set at the select step is not capable of carrying out printing.

Although the Sugiyama patent discloses a device that is capable of altering a printer designation, the Sugiyama patent does not disclose a device that allows a user to designate a substitute printer, and further, does not disclose displaying installation locations of image forming apparatuses which are capable of carrying out printing to serve as a substitute for the image forming apparatus set at the select step in case an outcome of a judgement formed at the judgement step indicates that the image forming apparatus set at the select step is not capable of carrying out printing. Instead, a user indicates whether a printer designation should be changed or not, and a substitute printer is automatically set when the user indicates that the printer designation should be altered. Thus, the substitute printer that is automatically set can be located in an inconvenient location. In contrast, according to claim 27, the installation locations of substitute image forming apparatuses are displayed; therefore, a user can select a substitute image forming apparatus of their choice.

The Dev patent also does not disclose or suggest displaying installation locations of image forming apparatuses which are capable of carrying out printing to serve as a substitute for an image forming apparatus set at a select step in case an outcome of a judgement formed at a judgement step indicates that the image forming apparatus set at the select step is not capable of carrying out printing. Therefore, claim 27 is not rendered obvious by any combination of the Sugiyama patent and the Dev patent.

Claims 34 and 35

Claim 34 and 35 depend from claim 33. As shown in the argument over the Sugiyama patent, claim 33 is distinguished and nonobvious over the Sugiyama patent. Like the Sugiyama patent, the Dev patent also fails to disclose or suggest a first step for classifying input-output apparatuses into a plurality of categories having different functions and displaying the categories on a display as items to be selected, and a second step for displaying

Serial No. 09/082,127

on the display as items to be selected only the input-output apparatuses corresponding to one of the categories displayed at the first step having a function selected from the first step. Thus, claim 33 is distinguished over any combination of the Sugiyama patent and the Dev patent.

Accordingly, it is respectfully requested that the rejection of claims 11-13, 16-22, 27, 34, and 35 under 35 U.S.C. § 103(a), as being unpatentable over the Sugiyama patent in view of the Dev patent, be reconsidered and withdrawn.

CONCLUSION

In view of the foregoing amendments and remarks, this application is considered to be in condition for allowance, and an early reconsideration and a Notice of Allowance are earnestly solicited.

This Amendment does not increase the number of independent claims, does not increase the total number of claims, and does not present any multiple dependency claims. Accordingly, no fee based on the number or type of claims is currently due. However, if a fee, other than the issue fee, is due, please charge this fee to Sidley & Austin Deposit Account No. 18-1260.

If an extension of time is required to enable this document to be timely filed and there is no separate Petition for Extension of Time filed herewith, this document is to be construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) for a period of time sufficient to enable this document to be timely filed.

Any other fee required for such Petition for Extension of Time and any other fee required by this document pursuant to 37 C.F.R. §§ 1.16 and 1.17, other than the

Serial No. 09/082,127

issue fee, and not submitted herewith should be charged to Sidley & Austin Deposit Account No. 18-1260. Any refund should be credited to the same account.

Respectfully submitted,

By:


Dwayne C. Norton

Registration No. P 48,435

Agent for Applicant

JWW/DCN/jkk
SIDLEY & AUSTIN
717 N. Harwood
Suite 3400
Dallas, Texas 75201
Direct: (214) 981-3328
Main: (214) 981-3300
Facsimile: (214) 981-3400
July 6, 2001

APPENDIX

VERSION WITH MARKINGS TO SHOW CHANGES MADE

The following is a marked-up version of the changes to the claims which are being made in the attached response to the Office Action dated April 6, 2001.

IN THE CLAIMS:

7. Cancel.

9. (Twice Amended) A machine readable medium on which is recorded a program for selecting a desired input-output apparatus from a plurality of input-output apparatuses connected to a network, said program comprising:

a first display step for classifying said input-output apparatuses into a plurality of categories with different functions and displaying said [functions] categories on a display [means] as items to be selected [of selection]; and

a second display step for displaying on said display [means] as items [of selection] to be selected only said input-output apparatuses classified in a category [having one of those functions] selected by a user.

10. (Twice Amended) A machine readable medium according to claim 9, wherein said second display step includes a sub-step for displaying on said display [means] information indicating whether or not each respective one of said input-output apparatuses is usable.

11. (Twice Amended) A machine readable medium according to claim 9, wherein said second display step further includes a sub-step for displaying on said display [means] a map of said network with symbolic marks of said input-output apparatuses on said map, with each symbolic mark representing an installation location of respective ones of said input-output apparatuses.

13. (Twice Amended) A machine readable medium according to claim 11, wherein said second display step further includes a sub-step for displaying on said display [means] at locations in close proximity to each one of said symbolic marks representing said input-output apparatuses information indicating whether or not each of said input-output apparatuses is usable.

14. (Twice Amended) A machine readable medium on which is recorded a program for selecting a desired input-output apparatus from a plurality of input-output apparatuses connected to a network, said program comprising:

a first display step for classifying said input-output apparatuses into a plurality of categories with different pieces of [document] user identification information and for displaying on a display [means] as items of selection said pieces of [document] user identification information; and

a second display step for displaying on said display [means] as items of selection only said input-output apparatuses [which are capable of receiving a document type specified by] in a category corresponding to a thus displayed [document] user identification information which is selected by a user.

15. (Twice Amended) A machine readable medium according to claim 14, wherein said second display step further includes a sub-step for displaying on said display [means] information indicating whether or not each of said input-output apparatuses is usable.

16. (Twice Amended) A machine readable medium according to claim 14, wherein said second display step further includes a sub-step for displaying on said display [means] a map of said network with symbolic marks of said input-output apparatuses on said map, with each symbolic mark representing an installation location of respective ones of said input-output apparatuses.

18. (Twice Amended) A machine readable medium according to claim 16, wherein said second display step further includes a sub-step for displaying on said display [means] at locations in close proximity to each one of said symbolic marks

representing said image forming apparatuses information indicating whether or not each of said input-output apparatuses is usable.

19. (Twice Amended) A machine readable medium on which is recorded a program for selecting a desired image forming apparatus from a plurality of image forming apparatuses connected to a network, said program comprising:

a select step for selecting as an output destination one of said image forming apparatuses designated by [the] a user;

a judgment step for judging whether or not said image forming apparatus set at said select step is capable of carrying out printing; and

a display step for displaying on a display [means] installation locations of said image forming apparatuses which are capable of carrying out printing to serve as a substitute for said image forming apparatus set at said select step in case an outcome of said judgment formed at said judgment step indicates that said image forming apparatus set at said select step is not capable of carrying out printing.

20. (Twice Amended) A machine readable medium according to claim 19, wherein said display step further includes a sub-step for displaying on said display [means] a map of said network with symbolic marks of said image forming apparatuses on said map, with each symbolic mark representing an installation location of respective ones of said image forming apparatus.

22. (Twice Amended) A machine readable medium according to claim 19, wherein said display step further includes a sub-step for displaying on said display [means] characters describing the name of each of said image forming apparatuses and characters describing a location at which each of said image forming apparatuses is installed.

25. (Twice Amended) An input-output apparatus selecting method for selecting a desired input-output apparatus from a plurality of input-output apparatuses connected to a network system, said input-output apparatus selecting method comprising:

a step for classifying said input-output apparatuses connected to said network system into a plurality of categories with different functions and for displaying said [functions] categories on a display [means] as items to be selected [of selection]; and
a step for displaying on said display [means] as items [of selection] to be selected only said input-output apparatuses classified in a category [having one of said functions] selected by the user.

26. (Twice Amended) An input-output apparatus selecting method for selecting a desired input-output apparatus from a plurality of input-output apparatuses connected to a network system wherein said apparatuses are cataloged by classifying said apparatuses into groups identified by [document] user identification codes, said input-output apparatus selecting method comprising:

a step for displaying said [document] user identification codes on a display [means] as items to be selected [of selection]; and

a step for displaying on said display [means] as items to be selected [of selection] only said input-output apparatuses cataloged in one of said groups identified by one of said [document] user identification codes selected by the user.

27. (Twice Amended) An image forming apparatus selecting method for selecting a desired image forming apparatus from a plurality of image forming apparatuses connected to a network system, said image forming apparatus selecting method comprising:

a select step for setting as an output destination one of said image forming apparatuses selected by [the] a user;

a judgment step for forming a judgment as to whether or not said image forming apparatus set at said select step is capable of carrying out printing; and

a display step for displaying on a display [means] installation locations of said image forming apparatuses which are capable of carrying out printing to serve as a substitute for said image forming apparatus set at said select step in case an outcome of said judgment formed at said judgment step indicates that said image forming apparatus set at said select step is not capable of carrying out printing.

30. Cancel.

31. Cancel.

33. (Twice Amended) A machine readable medium on which is recorded a program written for a network system to which a plurality of input-output apparatuses and a plurality of computers are connected, said program comprising:

a first step for classifying said input-output apparatuses into a plurality of categories having different functions and displaying said [functions] categories on a display [means] as items to be selected [of selection];

a second step for displaying on said display [means] as items [of selection] to be selected only said input-output apparatuses corresponding to one of said categories [having a function selected from said functions] displayed at said first step; and

a third step for specifying as an input-output destination an input-output apparatus selected from said input-output apparatuses displayed at said second step.

34. (Twice Amended) A machine readable medium according to claim 33, wherein said program further comprises:

a step for displaying on said display [means] a layout image representing locations of said input-output apparatuses;

a step for displaying icons as items of selection over said layout image displayed on said display [means], each icon representing one of said input-output apparatuses at locations corresponding to actual installation locations of said input-output apparatuses; and

a step for selecting as an input-output destination one of said input-output apparatuses represented by an icon selected from said icons.

37. (Twice Amended) An input-output apparatus specifying method to be adopted in a network system for connecting a plurality of computers and a plurality of input-output apparatuses, said input-output apparatus specifying method comprising:

a [function] category displaying step for classifying said input-output apparatuses into a plurality of categories with different functions and for displaying said [functions] categories on a display [means] as items to be selected [of selection];

an apparatus displaying step for displaying on said display [means] as items to be selected [of selection] only those input-output apparatuses [having] in a [function] category selected from said [functions] categories displayed at said [function] category displaying step; and

an apparatus specifying means for selecting a desired one of said input-output apparatuses displayed at said apparatus displaying step and for specifying as an input-output destination said selected input-output apparatus.

56. (Once Amended) A program that can be read by a computer which has a computer execute the steps of:

selecting a first printer, as an output destination of image data, from among a plurality of printers connected to a network;

determining whether said first printer is currently available or not; and

selecting a second printer automatically, from a plurality of printers connected to a network, as a substitute output apparatus [when] in response to the determination that said first printer is not available.

59. (Once Amended) A program according to claim 56, wherein said second printer selected as a substitute output apparatus exceeds said first printer in printing speed.